THE HON'BLE Mr. JUSTICE N.V. RAMANA

WRIT PETITION No.15152 of 1997

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Dated: October 3, 2005

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Between:

A.V.N.Govinda Rao,

S/o.Nagesbhushana Rao,

aged about 40 years, residing at

Anakapalli, Vizag District.

… Petitioner

And

The Govt. of Andhra Pradesh,

represented by its Secretary,

Roads and Buildings Department,

Secretariat Buildings, Hyderabad,

and another.

… Respondents

Order:

This writ petition is filed seeking Mandamus declaring the action of the respondents in not refunding an amount of Rs.2,53,000/- deposited towards earnest money deposit with regards to collection of toll fee on the bridge at KM.1/8-10 of Yellamanchilli Gajuwaka Road for the period from 01-04-1995 to 31-03-1997 and the notice dated

24-05-1997 of the second respondent thereby deducting an amount of Rs.75,900/- and Rs.1,56,950/- on the ground that the petitioner has not paid the stamp duty for the years 1994-95 and 1995-97 respectively, as arbitrary and illegal.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Roads and Buildings.

3. It is submitted by the learned Government Pleader and admitted by the learned counsel for the petitioner that the subject matter of the writ petition is squarely covered by a Division Bench judgment of this Court in **Uppalapati Durga Prasad V. Executive Engineer (R&B) N.H. Division, Srikakulam and others**.

4. Recording the said submission and following the ratio laid down in the aforesaid judgment, this writ petition is also dismissed for similar reasons. No costs.

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N.V. RAMANA, J.

October 3, 2005

MRR